

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 30 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: DAYMON JOHNSON.

DAYMON JOHNSON,

Petitioner,

v.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
CALIFORNIA, FRESNO,

Respondent,

JERRY E. FLIGLER; et al.,

Real Parties in Interest.

No. 24-5446

D.C. No.

23-848

Eastern District of California,

Fresno

ORDER

Petitioner's unopposed motion to dismiss the petition for a writ of mandamus is construed as a motion to voluntarily withdraw the petition. So construed, the motion (Docket Entry No. 4) is granted. *See* Fed. R. App. P. 42(b). The petition is withdrawn.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT